



# COMMUNITY DEVELOPMENT SERVICES

## ENVIRONMENTAL MANAGEMENT DEPARTMENT

<http://www.edcgov.us/EMD/>

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South Lake Tahoe, CA 96150  
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December 4, 2017

Gold Beach Park  
Larry Morales, Owner  
P.O. Box 357  
El Dorado, CA 95623

**RE: GOLD BEACH PARK WATER SYSTEM (PWS NO. 0900102)**  
**CITATION NO. 01\_39\_17C\_012\_0900102\_22**  
**Total Coliform Rule MCL Violation; Significant Rise in Bacterial Count**

Enclosed is the County of El Dorado, Environmental Management Local Primacy Agency Citation No. 01\_39\_17C\_012\_0900102\_22 issued to Gold Beach Park. Please note there are certain deadlines associated with this Citation.

Any person who is aggrieved by a citation issued by the El Dorado County LPA may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the citation. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the citation. The date of issuance is the date when the El Dorado County LPA mails or serves a copy of the citation, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions, please contact Jeffrey Warren at (530) 621-7628 or by email [jeffrey.warren@edcgov.us](mailto:jeffrey.warren@edcgov.us), or Bryan Vyverberg at (530) 621-5924 or by email [bryan.vyverberg@edcgov.us](mailto:bryan.vyverberg@edcgov.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Warren", is written over a horizontal line.

Jeffrey Warren, REHS  
Environmental Health Program Manager

Cc: Ali Rezvani, PE  
Enc.

Issued: **December 4, 2017**

**EL DORADO COUNTY  
COMMUNITY DEVELOPMENT SERVICES  
ENVIRONMENTAL MANAGEMENT DEPARTMENT**

**IN RE: Gold Beach Park**  
Water System No. - 0900102

**ATTN:** Larry Morales  
P.O. Box 357  
El Dorado, CA 95623

**CITATION NO. 01\_39\_17C\_012\_0900102\_22**

**VIOLATION OF MAXIMUM CONTAMINANT LEVELS  
FOR TOTAL COLIFORM BACTERIA**

**TITLE 22, CALIFORNIA CODE OF REGULATIONS, SECTIONS 64426(a)(2),  
64426.1(b)(2)**

**ISSUED ON December 4, 2017**

Section 116650 of the California Health and Safety Code (hereinafter "CHSC") authorizes the issuance of a citation to a public water system for failure to comply with a requirement of the California Safe Drinking Water Act, California Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270 (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The County of El Dorado Community Development Services, Environmental Management Department (hereinafter "Department"), hereby issues a citation to the **Gold Beach Park** water system (mailing address: P.O. Box 357, El Dorado, CA

95623) (hereinafter “Water System”) for violation of Title 22 of the California Code of Regulations (“CCR”), Section 64426(a)(2) and Section 64426.1(b)(2).

### **APPLICABLE AUTHORITIES**

**CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116271 (k)(2) states:**

(k)(2) The deputy director is delegated the State Water Resources Control Board’s authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625) and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650).

**CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116275 (b) & (ab) states:**

(b) “Department” means the state board.

(ab) “State board” means the State Water Resources Control Board.

**CHSC Division 104, Part 12, Chapter 4, Article 9, Section 116650 states:**

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of

1 receipt of the certified mail. If a person to whom a citation is directed refuses to accept  
2 delivery of the certified mail, the date of service shall be deemed to be the date of  
3 mailing.

4 (b) Each citation shall be in writing and shall describe the nature of the violation  
5 or violations, including a reference to the statutory provision, standard, order, citation,  
6 permit, or regulation alleged to have been violated.

7 (c) A citation may specify a date for elimination or correction of the condition  
8 constituting the violation.

9 (d) A citation may include the assessment of a penalty as specified in  
10 subdivision (e).

11 (e) The department may assess a penalty in an amount not to exceed one  
12 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each  
13 day that a violation continues to occur. A separate penalty may be assessed for each  
14 violation.

15 **Local Primacy Delegation Agreement, Section 1.02.** The Department hereby  
16 delegates to the County all authority granted to it under the California Safe Drinking  
17 Water Act (CHSC 116270) for regulation of small public water systems.  
18

19  
20 **Title 22, California Code of Regulations, Section 64421(a)(5) states:**

21 (a) Each water supplier shall:

22 (5) Comply with the Maximum Contaminant Level as required in section  
23 64426.1.  
24

25 **Title 22, California Code of Regulations, Section 64423 (a)(1) and (c) states:**

26 (a) Each water supplier shall collect routine bacteriological water samples  
27 follows:  
28

(1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423-A. A community water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency. The minimum reduced frequency shall not be less than one sample per quarter.

(c) If any routine, repeat, or replacement sample is total coliform-positive, then The water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 664426 and 64426.1.

**Title 22, California Code of Regulations, Section 64424 (a) through (d) states in relevant part:**

(a) If a routine sample is total coliform-positive, the water supplier shall collect a repeat sample set as described in paragraph (1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the State Board Allow the collection of the repeat sample set over a four-day period.

(b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.

1 (c) If one or more samples in the repeat sample set if total coliform-positive, the  
2 water supplier shall collect and have analyzed an additional set of repeat  
3 samples as specified in subsections (a) and (b). The supplier shall repeat this  
4 process until either no coliforms are detected in one complete repeat sample or  
5 the supplier determines that the MCL for total coliforms specified in Section  
6 64426.1 has been exceeded and notifies the State Board.

7 (d) If a public water system for which fewer than five routine samples/month are  
8 collected has one or more total coliform-positive samples, the water supplier  
9 shall collect at least five routine samples the following month. If the supplier  
10 stops supplying water during the month after the total coliform-positive(s), at  
11 least five samples shall be collected during the first month the system resumes  
12 operation. A water supplier may request the State Board waive the requirement  
13 to collect at least five routine samples the following month, but a waiver will not  
14 be granted solely on the basis that all repeat samples are total coliform-  
15 negative.  
16

17 **Title 22, California Code of Regulations, Section 64426 (a) through (c) states in**  
18 **relevant part:**

19 (a) Any of the following criteria shall indicate a possible significant rise in bacterial  
20 count:

21 (1) A system collecting at least 40 samples per month has a total coliform-  
22 positive routine sample followed by two total coliform-positive repeat  
23 samples in the repeat sample set;

24 (2) A system has a sample which is positive for fecal coliform or E. coli; or

25 (3) A system fails the total coliform Maximum Contaminant Level (MCL) as  
26 defined in Section 64426.1.

27 (b) When the coliform levels specified in subsection (a) are reached or exceeded, the  
28 water supplier shall:

(1) Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and

(2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:

(A) Current operating procedures that are or could potentially be related to the increase in bacterial count;

(B) Any interruptions in the treatment process;

(C) System pressure loss to less than 5 psi;

(D) Vandalism and/or unauthorized access to facilities;

(E) Physical evidence indicating bacteriological contamination of facilities;

(F) Analytical results of any additional samples collected, including source samples;

(G) Community illness suspected of being waterborne; and

(H) Records of the investigation and any action taken.

(c) Upon receiving notification from the State Board of a significant rise in bacterial count, the water supplier shall implement the emergency notification plan required by Section 116460, Health and Safety Code.

**Title 22, California Code of Regulations, Section 64426.1 (a) through (c) states in relevant part:**

(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform

1 MCL. Special purpose samples such as those listed in section 64421(b) and  
2 samples collected by the water supplier during special investigations shall not  
3 be used to determine compliance with the total coliform MCL.

4 (b) A public water system is in violation of the total coliform MCL when any of the  
5 following occurs:

6 (1) For a public water system which collects at least 40 samples per month,  
7 more than 5.0 percent of the samples collected during any month are  
8 total coliform-positive; or

9 (2) For a public water system which collects fewer than 40 samples per  
10 month, more than one sample collected during any month is total  
11 coliform-positive; or

12 (3) Any repeat sample is fecal coliform-positive or E.coli-positive; or

13 (4) Any repeat sample following a fecal coliform-positive or E.coli-positive  
14 routine sample is total coliform-positive.

15 (c) If a public water system is not in compliance with paragraphs (b)(1) through (4),  
16 during any month in which it supplies water to the public, the water supplier  
17 shall notify the State Board by the end of the business day on which this is  
18 determined, unless the determination occurs after the State Board office is  
19 closed, in which case the supplier shall also notify the State Board within 24  
20 hours of the determination. The water supplier shall also notify the consumers  
21 served by the water system. A Tier 2 Public Notice shall be given for violations  
22 of paragraph (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice  
23 shall be given for violations of paragraph (b)(3) or (4), pursuant to section  
24 64463.1.  
25  
26  
27  
28



**Title 22, California Code of Regulations, Section 64463.1(a)(1) – (5) states in relevant part:**

(a) A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:

(1) Violation of the total coliform MCL when:

(A) Fecal coliform or E. coli are present in the distribution system; or

(B) When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or E. coli in the repeat sample;

(2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL;

(3) Violation of a Chapter 17 treatment technique requirement resulting from a single exceedance of a maximum allowable turbidity level if:

(A) The State Board determines after consultation with the water system and a review of the data that a Tier 1 public notice is required; or

(B) The consultation between the State Board and the water system does not take place within 24 hours after the water system learns of the violation;

(4) Occurrence of a waterborne microbial disease outbreak, as defined in section 64651.91, or other waterborne emergency, a failure or significant interruption in water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that has the potential for adverse effects on human health as a result of short-term exposure;

(5) Other violation or occurrence that has the potential for adverse effects on human health as a result of short-term exposure, as determined by the State Board based on a review of all available toxicological and analytical data;

### **STATEMENT OF FACTS**

The Water System is operated under Water Supply Permit No. 0900102, issued on March 5, 2014.

The Water System is a community water system serving untreated groundwater to 50 service connections year-round. The Water System source of supply is Well #2, previously used as a fire-protection well. It is considered a groundwater source.

Title 22, CCR, Section 64423(a)(1) specifies that community water systems using groundwater and serving 1,000 or fewer persons a month shall collect a minimum of one routine bacteriological sample per month during to determine compliance with the maximum contaminant level (MCL) for total and fecal coliform bacteria.

A water sample collected from the Well 2 wellhead on November 20<sup>th</sup>, 2017 tested positive for total coliform bacteria and E.coli. Quantitative analysis showed a “most probable number” of greater than 2419 total coliform bacteria per 100 mL of water and 1986 E.coli bacteria per 100 mL of water present in the sample taken from the Well 2 wellhead. No total coliform bacteria or E.coli were detected in water samples taken after treatment with a UV-light system on November 20<sup>th</sup>, 2017.

A boil water notice was emailed to Larry Morales on December 1<sup>st</sup>, 2017 to post at Gold Beach Park. A specific Tier 1 Public Notification was also emailed to Larry Morales on December 1<sup>st</sup>, 2017 to notify customers at that E.coli was found in the

1 water supply at Gold Beach Park and to warn customers to boil their water before  
2 drinking it until further notice. A phone message was also left on Mr. Morales'  
3 answering machine on December 1<sup>st</sup>, 2017 directing him to post the boil water notice  
4 at Gold Beach Park.

### **DETERMINATION**

10 Based on the above, the Department has determined that the Water System violated  
11 Title 22 CCR Section 64426.1(b)(2), which specifies that a public water system is in  
12 violation of the total coliform MCL if more than one sample collected during any month  
13 is total coliform-positive. A significant rise in bacterial count occurred as defined in  
14 Title 22 CCR Section 64426(a)(2) when E.coli was identified in a water sample taken  
15 from the wellhead of Well 2 on November 20, 2017. The Gold Beach Park water  
16 system failed to comply with the general requirements of Title 22 CCR Section  
17 64421(a)(5) by exceeding the Maximum Contaminant Level for total coliform bacteria  
18 and E.coli as required in section 64426.1.

20 A Tier 1 Public Notice is required to be posted per Title 22 CCR Section 64463.1(a)(4).  
21 The high number of total coliform bacteria and E.coli found in the water sample taken  
22 from the Well 2 wellhead indicate that unexpected loading of possible pathogens into  
23 the source water that has the potential for adverse effects on human health as a result  
24 of short-term exposure has occurred.

## **DIRECTIVES**

The Water System is hereby directed to take the following actions:

1. Comply with Title 22 CCR Section 64426.1 in all future monitoring periods.
2. As soon as possible within 24 hours the water system shall:
  - (a) Notify all person served by the water system of the total coliform MCL violation in accordance with Title 22 CCR Section 64463.1;
  - (b) Initiate consultation with the State Board within the same timeframe; and
  - (c) Complete and post the "Drinking Water Warning" and "Boil Water Notice" attachments included with this Citation, and notify persons served by the water system about these notices and warnings.
3. Disinfect Well 2 and other components of the water system per the standards of the California Department of Water Resources Bulletin 74-81, Appendix C.
4. Begin increased monitoring of the distribution system for total coliform bacteria and E.coli. Take a monitoring water sample every other day on a rotating basis from Space 2, Space 35, and Space 45, and test it for the presence of both total coliform bacteria and E.coli. Continue to take bacteriological water samples from these sites every other day until approval to stop has been granted by the Department or the State Board.
5. Implement the emergency notification plan on file with this Department. The plan on file signed by Larry Morales on August 4, 2006 concurs with door-to-door contact, written contact sheets, and the posting of required information in key locations as accepted means of notification.
6. Consult with water system professionals including your water treatment operator and develop a plan to improve the Well 2 wellhead immediately. This includes evaluating the area around the wellhead for any routes of contamination including surface water intrusion, animal feces near the wellhead, and other possible mechanisms for well water contamination. Well 2

Issued: **December 4, 2017**

is required to be upgraded as necessary to protect it from contamination. This also includes installing a concrete pad around the well, evaluating the wellhead and well casing for damage, and protecting the well from surface water intrusions.

7. Complete and return Attachment A "*Certification of Completion of Public Notification*" form to the Department within ten (10) days of completion of the public notification.

8. Within thirty (30) days of receipt of this Citation, the Water System shall submit a written response to the Department indicating its willingness to comply with directives of this Citation.

The Department reserves the right to make such modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation, and shall be deemed effective upon issuance. Nothing in this Citation relieves Water System of its obligation to meet the requirements of the California SDWA, or of any regulation, permit, standard, or order issued or adopted thereunder.

All submittals required by this Citation shall be submitted to the Department at the following address:

Jeffrey Warren, REHS  
Environmental Management Programs Manager  
El Dorado County  
Community Development Services  
Environmental Management Department  
2850 Fairlane Court, Bldg C  
Placerville, CA 95667  
(530) 621-7628

**PARTIES BOUND**

Issued: **December 4, 2017**

This Citation shall apply to and be binding upon the **Gold Beach Park** water system, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

### **SEVERABILITY**

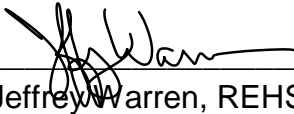
The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

### **FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Department to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Department to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Department; and to petition the Superior Court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Department. The Department does not waive any further enforcement action by issuance of this citation.

12/4/2017

Date

  
\_\_\_\_\_  
Jeffrey Warren, REHS  
Environmental Management Programs  
Manager  
El Dorado County  
Community Development Services

Environmental Management Department

Attachments:

A. Certification of Completion of Public Notification, completed

cc: Ali R. Rezvani, P.E.  
Sacramento District Engineer  
Division of Drinking Water  
State Water Resources Control Board